

PLANNING COMMISSION MINUTES OF JUNE 27, 2005

2005-0340 - Network Appliance [Applicant/Owner]: Application for a Major Moffett Park Design Review on a 45.9 acre site for a campus development phased master plan that includes five new R&D buildings with associated amenities and site improvements combined with existing development for a total campus of 9 R&D buildings and up to 1,376,000 square feet. The property is located at **495 Java Drive** (near Crossman Avenue) in a MP-TOD (Moffett Park Transit Oriented Development) Zoning District. (APN: 110-32-002, 004, 006, 007, 012, 013 and 015) (Mitigated Negative Declaration) KD

Kelly Diekmann, Associate Planner, presented staff report. Staff made several minor corrections to the report. The first was regarding a deviation in the parking structure in terms of aisle width. Due to additional information, there is no deviation to the aisle width, which meets code at 26 ft., but there is a deviation to the stall width which is proposed to be 8.5 ft. within the parking structures for standard spaces rather than the 9 ft. that is required by the Sunnyvale Municipal Code (SMC). As a result of this change, staff would like to add a Condition of Approval (COA) 1.I. which acknowledges that there is a deviation allowed with this Design Review permit to allow for 8.5 ft. stall in the parking structures only.

Chair Moylan asked staff what the size of a compact space is. Mr. Diekmann said a compact space is 7.5 ft. wide and that the SMC requires 8.5 ft. wide spaces for all uses other than commercial or office use. Chair Moylan commented the proposed size is for residential even though it is a commercial area. Trudi Ryan, Planning Officer, added that the 8.5 ft wide space is for the stall width, but that the aisle width is the standard commercial aisle width.

Mr. Diekmann added a modification to COA 10.A. stating that the amount of square footage and the cost of the Traffic Impact Fee (TIF) have been revised to reflect the proposal. The corrected figures for the COA are 467,606 sq. ft. to be assessed to the TIF revising the fee to \$1,874,660.50. Chair Moylan asked what the was the source of the revision. Mr. Diekmann said that staff had originally charged the fee against the amenity facilities and that was not correct.

Mr. Diekmann noted for the record that COA 7.B. was a condition for building No. 6, the engineering building, and was written prior to the applicant's submission of the perspective drawings for this building. These drawings have since been submitted and COA 7.B. could be modified or removed. Ms. Ryan said staff is agreeable if Planning Commission chooses to delete this COA.

Mr. Diekmann commented that a parking garage elevation drawing was delivered tonight. Staff is not recommending any changes to parking garage related conditions at this time, but staff will further review the parking structures.

Mr. Diekmann gave a summary of the project including a discussion of the green building features implemented by the applicant, site plan design intent for the campus availability of transit facilities, circulation routes for vehicles and pedestrian, architectural design features, tree protection, and landscape plan features.

Comm. Klein asked for more information on the new COA 1.I. regarding the width of the parking spaces and the breakdown of compact vs. standard spaces. Mr. Diekmann said he would let the applicant reply to this question and that staff's intention would be for the deviation to only apply to the structured parking. Mr. Diekmann said most of the vanpool and carpool spaces are not located in the structured parking and are surface parking closer to the buildings. Ms. Ryan commented that one reason 9 ft. spaces are required for retail is that there is a lot of coming and going and people are not as careful so more space is needed. Staff's thinking on the 8.5 ft. spaces in the garage is that employees do not come and go as often as in retail and may be more careful, so the narrower spaces should be acceptable.

Chair Moylan opened the public hearing.

Tom Bryant, applicant and Vice President of Workplace Resources at Network Appliance, commented that staff did an excellent job summarizing the project. Mr. Bryant said he would like to have the design team make a brief presentation, but first addressed Comm. Klein's question about the parking stalls. Mr. Bryant said all the stalls, parking structure and surface parking, are 8.5 ft. wide including compact spaces with the only difference being that compact spaces would be shorter.

Tom Gillman, DES Architects of Redwood City, CA said he would like to comment about the thinking about the site plan and comment about the building architecture. The overriding concept of the plan was the central promenade providing connectivity for the whole campus. The other focus was to let each building have its own identity, so if a building is used by separate companies that each building has a separate identity yet is connected through the promenade. Another key feature is the plan layout and parking distribution and the aim to prevent long walking distances to the buildings by having parking in close proximity to the front of the buildings. Another concern was to have pedestrian connections, onsite and offsite, to the light rail. The focus for landscaping was to try and organize the sites into decorative "neighborhoods" by varying the species of the trees, planning special entryways and at the same time maintaining the sense of identity of the Network campus. Another major aspect of the campus are the amenity features including indoor and outdoor dining and meeting areas, gymnasium, showers and lockers, and water features. Mr. Gillman commented about the building architecture and the aim to reflect the corporate philosophy of openness and transparency, creating a feel of lightness and delicateness with a more urban or European quality. LEED (Leadership in Energy and Environmental Design) studies were used to assist in planning the buildings with consideration to climatic conditions.

Mr. Bryant reiterated his thanks to the staff and commission on the efforts to improve the Moffett Park area. He requested reconsideration of the requirements in COA 3.A.1 and 2 regarding the modification of the left turn lane on Caribbean Dr. and Crossman Ave. He suggested changing the requirement to a later time when the traffic metrics indicate the need as the flow of traffic is currently very light. In conclusion, this project is an important step for Network Appliance and reconfirms their commitment to stay in Sunnyvale and is an important step for the City as it validates the work on the Moffett Park Specific Plan. He thanked the Commission for their support.

Comm. Simons asked staff to respond to the applicant's request for modification of COA 3.A.1. and 2. Mr. Diekmann said that it was part of the Negative Declaration that there is not much discretion. Changing item 1. would be difficult as the current traffic analysis shows the need for improvement. Changing item 2 might have a little bit more discretion. If we make any significant changes to items in the Negative Declaration it would have to be recirculated for public comment. Comm. Simons asked Mr. Bryant if he still would like the Commission to consider changing the COAs. Mr. Bryant said no. Comm. Simons commented that he noticed some changes to the landscaping plans since the Study Session. His concern with the landscaping in the Moffett Park area is to not plant things that die easily. The applicant said they had noted the concerns at the Study Session and made the changes.

Comm. Hungerford asked the applicant what the approximate schedule for building out the campus as described in the proposal would be. Mr. Bryant said it is hard to predict the full build out of the campus but they are intending to come in, if approved, for a permit for Building 7 very soon. His guess is that they would be returning about every 18 months to 2 years to start the next building. Comm. Hungerford asked staff about the permit and its time limits. Ms. Ryan answered that the applicant needs to exercise the permit within the original two-year approval, which also allows for optional extensions or even guaranteed seven-year duration with prepayment of traffic impact fees. Comm. Hungerford asked if there is an end date for the permit. Ms. Ryan said that it is variable due to the phasing plan, but if the applicant proceeds on the pace they discussed, there should not be any problem for them to buildout the campus with the permit.

Chair Moylan closed the public hearing.

Mr. Diekmann confirmed with the applicant regarding the parking deviation that all that all spaces would be 8.5 ft. wide including compact spaces which would be slightly shorter. Staff would be supportive of project-wide 8.5 ft. deviation. Tom Bryant confirmed and that the parking space width sizes are correct as stated by staff.

Comm. Babcock made a motion on Item 2005-0340 for Alternative 2. to adopt the Mitigated Negative Declaration and approve the Major Moffett Park Design Review with modified conditions; with the addition of COA

1. I., the rewording that all parking spaces will have a minimum dimension of 8.5 ft. and up to 50% of the spaces can have a compact depth; and the deletion of COA 7.B. Chair Moylan asked did Comm. Babcock also want to make the modification to COA 10.A., to change the traffic mitigation fee based on the corrected number of sq. ft. Comm. Babcock said yes. Comm. Simons seconded the motion.

Comm. Babcock commented that she really likes this project, that it meets the objectives for all the Moffett Park Specific Plan and that it is a wonderful example that the applicant is going for the LEED points.

Comm. Simons agrees Comm. Babcock and it has been great to be able to have some input on landscaping and notes the great amount of sensitivity being put into planning the site.

Comm. Klien requested a Friendly Amendment with a change to last sentence of COA 7.E. wording reflect that the amenity building is to be constructed in conjunction with “or before” the third main building is built on site. This would be a beneficial thing for the employees. The Friendly Amendment was acceptable to maker and the seconder. He also commented that this is a very positive plan and notes that the applicant has taken special care in planning and that this project will be a good addition to Sunnyvale and the Moffett Park area.

Chair Moylan thanked the applicant for taking the lead and planning the first big sustainable project in Moffett Park.

Final Motion:

Comm. Babcock made a motion on Item 2005-0340 for Alternative 2., to adopt the Mitigated Negative Declaration and approve the Major Moffett Park Design Review with modified conditions: addition of Condition of Approval (COA) 1.I. that all parking spaces have a minimum dimension of 8.5 feet and up to 50% of the parking spaces can have a compact depth; deletion of COA 7.B. requiring the Planning Commission’s review and approval of the final exterior building materials and color scheme; modification to COA 7.E. that the amenity building is to be constructed in conjunction with “or before” the third main building is built on site; and the modification to COA 10.A. to change the traffic mitigation fee based on the revised number of 467,606 square feet. Comm. Simons seconded. Motion carried unanimously, 7-0.

Motion carried unanimously, 7-0.

Item is appealable to the City Council no later than July 12, 2005.